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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/671,505 | 09/29/2003 | Chenhua You | 228204US25 | 8176 |
| 22850 | 7590 | 02/08/2005 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | LEE, Y MY QUACH | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2875 | |

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|-------------------------------|----------------------------|--|
| Office Action Summary | Application No. 10/671,505 | Applicant(s) YOU ET AL. | |
| | Examiner Y Quach Lee | Art Unit 2875 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,8,13,18 and 22 is/are rejected.
- 7) ☒ Claim(s) 3-6,9-12,14-17 and 19-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Page 3, line 14, there is a typographical error such as the term “dialight”. Appropriate correction is required.

Claim Objections

2. Claims 5, 11, 16 and 21 are objected to because of the following informalities: In claim 5, there is no clear antecedent basis for “said light pipe”. Note that “a light pipe” is first introduced in claim 3. In claim 11, there is no clear antecedent basis for “said light pipe means”. Note that “light pipe means” is first introduced in claim 9. In claim 16, there is no clear antecedent basis for “said light pipe”. Note that “a light pipe” is first introduced in claim 14. In claim 21, there is no clear antecedent basis for “said light pipe means”. Note that “light pipe means” is first introduced in claim 19. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al.

Marshall et al. show a light source comprising at least one light emitting diode (1) configured to generate a majority of output light in a primary direction (figure 1B, collimated light beam), a lens device (2, 8) through which the light generated from the light source passes, collection optics (11, saw tooth optics) configured to capture a portion of the light generated from the light source and configured to output the captured light in a direction (slanted or oblique light beam) other than the primary direction, the lens device further reflecting (paragraph 0037, lines 32 and 40, figure 1B) a portion of the light generated from the light source, the collection

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optics further capturing the reflected portion of the light generated from the light source and also outputting the captured reflected light in the direction other than the primary direction.

5. Claims 7 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al.

Marshall et al. show a light source means (1) for generating a majority of light in a primary direction (figure 1B, collimated light beam), lens means (2, 8) through which the light generated from the light source means passes, collection means (11) for capturing a portion of the light generated from the light source means and for outputting the captured light in a direction (slanted or oblique light beam) other than the primary direction, the lens means further reflecting (paragraph 0037, lines 32 and 40, figure 1B) a portion of the light generated from the light source means, the collection means further capturing the reflected portion of the light generated from the light source means and also outputting the captured reflected light in the direction other than the primary direction.

6. Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al.

Marshall et al. show a light source comprising at least one light emitting diode (1) configured to generate light in a primary direction (figure 1B, collimated light beam), a lens device (2) through which the light generated from the light source passes, the lens device further reflecting a portion of the light (paragraph 0037, lines 32 and 40, figure 1B) generated from the light source, collection optics (11, saw tooth optics) configured to capture the reflected portion of the light generated from the light source and also outputs the captured reflected light in the direction (slanted or oblique light beam) other than the primary direction.

7. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Marshall et al.

Marshall et al. show light source means (1) for generating light in a primary direction (figure 1B, collimated light beam), lens means (2) through which the light generated from the light source means passes, the lens means (paragraph 0037, lines 32 and 40, figure 1B) further reflecting a portion of the light generated from the light source means, collection means (11) for capturing the reflected portion of the light generated from the light source means and for outputting the captured reflected light in a direction (slanted or oblique light beam) other than the primary direction.

8. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Lai.

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Lai shows a light source comprising at least one light emitting diode (201) configured to generate a majority of output light in a primary direction (figure 7, parallel light beams), a lens device (233) through which the light generated from the light source passes, and collection optics (figure 7, concentric lens sections of 27) for capturing a portion of the light generated from the light source, and for outputting the captured light in a direction other than the primary direction (figure 7, focusing light beam direction opposite from the parallel light beam direction).

9. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Lee.

Lee shows light source means (figure 3, not number and 30) for generating a majority of light in a primary direction, a lens means (15, 28) through which the light generated from the light source means passes, and collection means (25, 33) for capturing a portion of the light generated from the light source means, and for outputting the captured light in a direction (figures 3 and 5) other than the primary direction.

10. Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by Lai.

Lai shows light source means (201) for generating a majority of light in a primary direction (figure 7), a lens means (233) through which the light generated from the light source means passes, and collection means (27) for capturing a portion of the light generated from the light source means, and for outputting the captured light in a direction (figure 7, focusing light beam opposite from the parallel light beam) other than the primary direction.

11. Claims 18 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lai.

Lai shows light source means (201) for generating light in a primary direction (figure 10, parallel light beams), lens means (figure 10) through which the light generated from the light source means passes, the lens means comprising an inner lens (233) and an outer lens (27), the lens means (27, figure 10) further reflecting a portion of the light (reflected light beams) generated from the light source means, and collection means (43) for capturing the reflecting portion of the light generated from the light source means, and for outputting the captured reflected light in a direction other than the primary direction.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee.

Lee discloses the invention substantially as claimed with the exception of having the light source comprised of at least one light emitting diode and collection optics as opposed to a collection optic.

It should be noted that it is known that incandescent, fluorescent and light emitting diode light sources are interchangeable and can also be used in combination. It would have been obvious to one skilled in the art to which the subject matter pertains to use the light emitting diode in place of the light source of Lee to enhance reliability and longevity of the light source. It would have also been obvious to one skilled in the art to include Lee with plural collection optics for the purpose of simply providing a greater number of indicators to enhance the indication of the operating condition of the light.

14. Claims 3, 4, 6, 9, 10, 12, 14, 15, 17, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. Claims 5, 11, 16 and 21 would be allowable if rewritten to overcome the objection set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ryder et al. is cited to show other pertinent collector assembly having a light pipe formed in a generally prismatic or prism like configuration within a sleeve for capture a portion of the light generated from the light source.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding

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should be directed to the Customer Service whose telephone number is 703-308-2733.

Y. Q.
February 3, 2005



Y Quach Lee
Patent Examiner
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